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RUEHKT/AMEMBASSY KATHMANDU 6276
RUEHLO/AMEMBASSY LONDON 4543
RUEHNE/AMEMBASSY NEW DELHI 2295
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RUEHCG/AMCONSUL CHENNAI 8705
RUEHBI/AMCONSUL MUMBAI 6122
RUEHON/AMCONSUL TORONTO 0758
RUEHGV/USMISSION GENEVA 2956
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RHEFDIA/DIA WASHINGTON DC
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C O N F I D E N T I A L SECTION 01 OF 02 COLOMBO 000907

SIPDIS

DEPARTMENT FOR SCA/INS

E.O. 12958: DECL: 09/29/2018

TAGS: PGOV PREL PTER PHUM MOPS CE

SUBJECT: SRI LANKA: GRENADE ATTACK AGAINST HOME OF HUMAN RIGHTS AND ANTI-CORRUPTION ATTORNEY

Classified By: DCM JAMES R. MOORE, FOR REASONS: 1.4(b,d).

¶1. (U) On Saturday September 27, 2008 at approximately 11:30 p.m., two grenades were thrown at the residence of Mr. J.C. Weliamuna in Kohuwela, a Colombo suburb. Weliamuna is a well-known human rights lawyer and also Director of Transparency International (Sri Lanka). One of the two grenades detonated, causing damage to the residence. The other failed to explode and was recovered by police.

¶2. (C) Weliamuna, a long-time contact of the Embassy, told us that he had received no prior warning, and that he was in his residence with his family when the grenade exploded. Weliamuna added that about ninety percent of his legal caseload consists of "extremely sensitive" human rights and official corruption cases. He thought that the attack against his residence was symptomatic of recent trends. He requested serious intervention in regard to the investigations and to show concern.

¶3. (SBU) In addition to the physical evidence of both the exploded and unexploded grenades, some of Weliamuna's recent cases may provide some clues as to the identity of the perpetrators. Weliamuna has been representing J.S. Tissanaiyagam and two other journalists in their arrest and detention cases under the Prevention of Terrorism Act. Weliamuna has also been involved in preparing the dossier in the case challenging the privatization of the Sri Lanka Insurance Corporation.

¶4. (SBU) Media reports, however, called attention to Weliamuna's role in a fundamental rights case filed by Siyaguna Kosgodage Anton Sugath Nishantha Fernando alleging torture by several police officers who had him in custody at the Negombo police station. Subsequently, on September 20, 2008, two persons on a motorcycle shot him dead while he was driving his van, accompanied by his 11 year old son. At the most recent hearing of this case on September 26, the Supreme Court directed the Attorney-General to instruct the police Special Investigation Unit to inquire into the incident. Another lawyer who appeared against the same police officers in a related trial in the High Court in Negombo had earlier received threats.

¶5. (C) Other observers pointed to a fundamental rights case Weliamuna was involved in questioning the setting-up of a private security firm to provide protection for government offices. The officers of the new company were listed as Defense Secretary Gothabaya Rajapaksa, former Treasury Secretary P. B. Jayasundera, and attorney Mohan Peiris (an attorney who serves as an advisor to the Defense Secretary). Others thought that the recent ranking of Sri Lanka as 92nd in the world in government transparency could have angered important people.

¶6. (U) The U.S. Embassy issued the following statement concerning the attack on Weliamuna:

(begin text)

The United States condemns the September 27 attack on the residence of the Executive Director of Transparency International Sri Lanka and well-known human rights attorney ¶J. C. Weliamuna. The U.S. Embassy commends Mr. Weliamuna's work as a defender of those who seek to fight corruption, protect the victims of abuse, and advance the cause of human rights in Sri Lanka. We look to the authorities to launch an immediate investigation and bring the perpetrators of this crime swiftly to justice. (end text)

¶7. (C) COMMENT: Several organizations, including Transparency International itself, the Sri Lanka Bar Association, and the National Peace Council condemned the attack on Weliamuna's residence. Embassy also received a

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message from the Hong Kong-based Asian Human Rights Commission deplored the attack and requesting an intervention with the authorities. It is probable that elements of the security forces, most likely rogue police, were involved in the attack. Although the Asian Human Rights Commission hinted darkly that "the Ministry of Defense in recent times have acquired notoriety for engaging in all kinds of abuses of human rights," we have no direct evidence that more senior officials were involved. Still, this sort of incident is all too common in Sri Lanka, where nearly all attempts to hold law enforcement or military personnel accountable for human rights abuses have been frustrated over the last several decades. The Committee to Protect Journalists has just ranked Sri Lanka fifth worst in the world in terms of official impunity. Weliamuna and other attorneys courageous enough to take on these sorts of cases know well the risks they run, but the authors of the attack may also have intended to send a message to the Chief Justice of the Supreme Court or other judges about the potential consequences of ordering investigations into the conduct of the security forces. There are a considerable number of similar cases of intimidation or elimination of witnesses in sensitive human rights or corruption cases.

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